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Docket Number (Optional) TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION In re Application of: Barillaud Application No.: 09/918.563 Filed: 07/13/2001 For: System and Method for Providing Efficient and Secure Data Exchange Using Strip Information Elements The owner*, <u>International Business Machines Corp.</u>, of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 09/918.594 , as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference on July 13, 2001 application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed

in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner

terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

etc.), the undersigned is empowered to act on behalf of the business/organization.

1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency,

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rerminal disclaimer fee under 37 CFR 1.20(d) is included.

belief are believed t made are punishabl	leclare that all statements made herein of my own knowledge are true and that to be true; and further that these statements were made with the knowledge that le by fine or imprisonment, or both, under Section 1001 of Title 18 of the United pardize the validity of the application or any patent issued thereon.	it willful false statements and the like so
2. The unders	signed is an attorney or agent of record. Reg. No. <u>42,196</u>	
	/Leslie A. Van Leeuwen Reg. No. 42,196/	06/27/2006
	Signature	Date
	Leslie A. Van Leeuwen Reg. No. 42,196	
	Typed or printed name	
		512-301-6738
	-	Telephone Number

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.